

BOARD MEETING MINUTES

The Board of the Washington Fire Commissioners Association held a regular meeting on Saturday, April 19, 2008, at the Doubletree Hotel in Spokane, Washington.

Members present: President Joe Dawson, Vice President Bill Gates, Secretary-Treasurer Les Riel, Region 1 Director Sharon Colby, Region 2 Director Emilio Buttice, Region 3 Director Dennis Bjork, Region 4 Director Ken Eakin, Region 5 Director Steve Lich, Region 6 Director Mark Thompson, Region 7 Director Robert Skaggs, Region 8 Director Keith Merritt and Region 9 Director Mick McKinley.

Also present: Chris Caviezel (Snoqualmie Pass Fire and Rescue), Jack Hensley (Spokane 4), Tom Treves (Health Care Manager), Susan Winchell (Spokane County Boundary Review Board), Pete Spiller, Roger Ferris and Nora Eyllenfeldt (WFCA).

President Dawson called the meeting to order at 9:00 a.m. Board members and guests proceeded with introductions.

President Dawson announced that Chris Caviezel was en route and would make his report upon arrival. Robert Skaggs moved and it was seconded to approve the agenda as presented and the January 23, 2008 Board meeting minutes as submitted. **Motion carried.**

Les Riel gave the Secretary-Treasurer's report reviewing first quarter finances, noting the WFCA budget is on target to date. Les Riel moved and it was seconded to approve the WFCA's January-March 2008 disbursements, check numbers 21779 through 21895, totaling \$250,062.97. **Motion carried.** President Dawson accepted the financial report.

Susan Winchell addressed the Board regarding Boundary Review Boards. President Dawson thanked Ms. Winchell for her report.

The Board discussed a written report on basic firefighter training submitted by State Fire Marshal Mike Matlick. President Dawson asked the Board to review the report and provide input to him prior to June 15.

Jack Hensley presented the Health Care Committee's two recommendations for filling the committee vacancy: Bill Gates (South King Fire & Rescue) and Brian McMahan (Snohomish 1). President Dawson accepted the Health Care Committee Chair's report.

Tom Treves gave the Health Care Manager's report stating the program is operating within expectations. Mr. Treves distributed written reports outlining experience and discussed the rationale for implementing a dividend program. President Dawson suggested this discussion be deferred until later in the meeting under the agenda item entitled "2007 Health Care Dividend Recommendation."

Tom Treves distributed an informational handout on domestic partner health care coverage. The Health Care Committee will make a recommendation to the Board in July regarding whether or not to include domestic partner coverage in the WFCA plan.

Pete Spiller presented the Health Care Investment Officer's report reviewing program finances for the first quarter of 2008.

President Dawson accepted the Health Care Manager and Investment Officer's reports.

The Board discussed the Health Care Committee's recommendations to fill the committee vacancy. After reviewing resumes, Keith Merritt moved and it was seconded to appoint Bill Gates to the Health Care Committee. Dennis Bjork suggested that if the Board approves the appointment of Bill Gates, that Brian McMahan automatically be appointed to fill a Health Care Committee vacancy should one occur within the year. President Dawson ruled Commissioner Bjork out of order, explaining that it has been Board practice to fill vacancies as they occur. **Motion carried.** President Dawson stated Commissioner Gates will be a great asset to the committee.

Roger Ferris announced he is planning a meeting with the Legal Committee to discuss the volunteer firefighter compensation issue. Steve Lich referred to a resolution drafted by Frank Chmelik which approves deductions of Social Security and Medicare taxes from payments made to volunteers; staff will email the resolution to the Board.

Roger Ferris presented the WFCM membership report noting 14 new fire districts paid dues in 2008.

Roger Ferris gave the 2008 Saturday Seminar Series report stating there was record attendance at the New Commissioner Seminars in Spokane (80) and Ocean Shores (185). Pre-registrations for Chelan are tracking as expected. President Dawson accepted the Executive Secretary's report.

The Board recessed at 10:20 a.m. The Board reconvened at 10:25 a.m.

Roger Ferris presented the legislative report noting the committee met last week and will meet again in June to discuss 2009 session issues.

Keith Merritt gave the Fire Service Leadership Forum report stating that at its last meeting the Forum discussed the Board for Volunteer Firefighters' (BVFF) Draft Standards for Volunteers. The BVFF is seeking a WAC hearing to define "firefighter" as it relates to pension issues. Discussion followed. The Forum also discussed the issue of the ferry system charging responders.

Steve Lich presented an update on the E911 Advisory Committee noting the committee met last week. An EMD exercise is scheduled in Whatcom County in early May. The Advisory Committee wants to eliminate non-initialized cell phones due to the high number of harassing and fake emergency calls that cannot be traced.

President Dawson accepted the legislative, Leadership Forum and E911 Advisory Committee reports.

President Dawson referred to the 2008-09 Fire Protection Policy Board Strategic Plan submitted by Dean Shelton.

Dennis Bjork moved and it was seconded to reconsider the motion made January 23, 2008 wherein the Board approved "Attachment B" to the Executive Secretary's job description. Commissioner Bjork stated he believes that in the matter of health care contracts, Tom Treves should serve as lead negotiator and Roger Ferris should serve as signatory.

Roger Ferris responded that as a statutory officer of the WFCM he has an obligation to financially protect the association; he believes part of this responsibility can only be achieved if he is in charge of negotiating all contracts. Mr. Ferris added that language in his job description stipulates that the Health Care Manager shall be invited to meetings at which negotiations take place.

Discussion followed. **The motion to reconsider failed on a 9-2 vote.**

Chris Caviezel, WFCOA Representative on the EMS Trauma Care Steering Committee, addressed the Board. He distributed a document the committee is working on to evaluate WACs and RCWs relative to crossing county lines when responding to calls; he further distributed a written motion for consideration which suggested the words “encourage and” be added before the words “work with the EMS Trauma Care Steering Committee” in the document. Robert Skaggs moved to adopt the motion as amended: “The Washington Fire Commissioners Association encourages Snoqualmie Pass Fire & Rescue Fire Commissioner Chris Caviezel, in his capacity as the fire commissioner representative to the EMS Trauma Care Steering Committee, to encourage and work with the EMS Trauma Care Steering Committee & Pre-Hospital TAC to evaluate the WACs and RCWs and appropriately propose changes to address current needs such as challenges that occur when fire districts or regional fire authorities cross county lines. Seconded and **motion, as amended, carried.** President Dawson accepted the report and thanked Commissioner Caviezel for taking the time to address the Board.

Roger Ferris presented the James R. Larson Forum Building report reviewing finances. The Department of Information Services has 2-1/2 years remaining on its lease and is expected to move into its own office building at that time. President Dawson accepted the Forum Building report.

Regional directors reported on activities within their respective regions. Robert Skaggs moved and it was seconded that the Board support the Washington Fire Chiefs’ Position Paper 22 promoting the use of residential sprinkler systems. **Motion carried.** President Dawson accepted the regional director reports.

The Board recessed for lunch at 11:45 a.m. The Board reconvened at 12:45 p.m.

The Board reviewed a draft employment agreement between the WFCOA and the Executive Secretary. President Dawson asked the Board to provide input to him prior to June 1 regarding the agreement. The Board will consider adoption of the agreement at its July meeting.

The Board discussed the Washington Fire Chiefs’ Position Paper 20. Roger Ferris stated no action was needed on this paper.

The Board discussed the WFCOA Strategic Plan. Steve Lich moved and it was seconded to amend the draft Plan by deleting the words “by x percent” on Strategic Initiative #1. **Motion carried.** Robert Skaggs moved and it was seconded to approve the Strategic Plan as amended. **Motion carried.**

The Board discussed the 2008 conference registration fee. Steve Lich moved and it was seconded to set the 2008 conference pre-registration fee at \$235. **Motion carried.** This represents a \$15 increase over last year.

The Board discussed inclusion of domestic partner coverage in the WFCOA health care plan. Tom Treves stated that some fire districts have questioned whether or not this coverage is available. Robert Skaggs asked about the financial impact of including this coverage; Mr. Treves responded that it would be minimal. The Health Care Committee will provide a recommendation for the Board’s consideration at its July meeting.

The Trusteed Plans Service Corporation (TPSC) contract was discussed. The Board reviewed indemnification language drafted by Attorney Brian Snure to protect the association from financial liability (specifically, potential lawsuits filed against the third party administrator) that it should not assume. It was noted that the Health Care Committee did not make a recommendation to the Board on this issue. Discussion followed. Les Riel moved and it was seconded to adopt Mr. Snure’s amendment to the TPSC contract. **Motion carried.** Pete

Spiller stated that if Trusteed Plans accepts the proposed indemnification language, then the contract can be signed.

Pete Spiller reported the State Risk Manager has recommended the Board adopt a policy establishing a methodology for setting the health care reserve; he distributed a draft policy for review. Les Riel moved and it was seconded to adopt draft Policy 04/19/08 A as submitted. Discussion followed regarding contingency funds. **A roll-call vote was taken on the motion with each Board member voting aye.** This policy will be forwarded to the State Risk Manager.

Robert Skaggs moved and it was seconded to adopt draft Policy 04/19/08 B as submitted, establishing a health care reserve policy for 2008. Bill Gates moved and it was seconded to amend the motion to add the words "WFCA Health Care Program reserve" following the word "dedicated" in the second paragraph. **The amendment passed unanimously.** The paragraph, as amended, reads: *"At its April 19, 2008 regular meeting in Spokane, Washington, in compliance with the above WAC, the WFCA Board hereby adopts the following dedicated WFCA Health Care Program reserve policy for the year 2008."* **A roll-call vote was taken on the amended motion with each Board member voting aye.**

Dennis Bjork moved and it was seconded to define the contingency reserve (how it is established, what it is based on and what the funds are used for) by the end of 2008. Discussion followed. **Motion carried.** Commissioner Bjork suggested the language be submitted to the State Risk Manager for approval and a recommendation be made by the Health Care Committee to the Board.

Jack Hensley stated the Health Care Committee held a special meeting via conference call April 15 to discuss its recommendation to the Board regarding the health care program dividend. He stated that because of legal ramifications resulting from that meeting, there is no committee recommendation to bring forth.

Roger Ferris stated there was one agenda item for the April 15 special Health Care Committee conference call meeting: *Recommendation to the WFCA Board for the 2007 Dividend.* A motion and a second were made to recommend the dividend during the meeting; then the second and motion were withdrawn. The committee then passed a motion "to declare a dividend for 2007 in the amount of \$600,000."

Roger Ferris stated this motion was in violation of the Open Public Meetings Act as the law clearly states that during a special meeting, a body must act on the agenda item(s) before it; it appears the committee acted on an issue other than the one stated. Mr. Ferris explained that his job description allows him to appeal this type of action to the Board and he is doing so in order to keep the association in compliance with state audit guidelines. Mr. Ferris made clear that the \$600,000 dividend amount is not in dispute and he recommends adoption by the Board.

Discussion followed regarding the dividend distribution. Tom Treves stated the calculation would be based on the number of eligible participants in each district and it would appear as a premium credit to the districts.

Mark Thompson moved and it was seconded to authorize payment of the dividend in the amount of \$600,000. Discussion followed. **Motion carried.**

Les Riel moved and it was seconded to distribute the \$600,000 dividend based on participating districts' premium payment, rather than the number of eligible participants. Discussion followed. The Board will ask the Health Care Committee to make a recommendation at its July meeting regarding a policy to establish the method of dividend distribution. Dennis Bjork suggested the Board disband the Health Care Committee and hold two-day meetings to consider health care program issues.

Discussion was held on the timing of the dividend, with some suggesting a delay until after the July Board meeting and others suggesting an April-May timeframe (as announced to districts during the 2006 conference).

Pete Spiller reported the State Risk Manager advised him that the dividend is an exception to the WFCA's filing with their office. He will forward the Board's action for approval by the State Risk Manager.

The Board voted on the motion to approve the dividend distribution based on premium payments, with Dennis Bjork voting "no" and Ken Eakin, Steve Lich and Keith Merritt abstaining. **Motion carried.**

President Dawson asked the Board to consider changing the next Board meeting date from Saturday, July 12 to Friday, July 11. Keith Merritt moved and it was seconded to change the July Board meeting date to July 11, beginning at 12:00 noon. **Motion carried.**

Roger Ferris stated Brian Snure is working on the commissioner handbook; a draft is expected in July.

Roger Ferris announced he has been working on WFCA committee policies and procedures. The Health Care Committee is also working on its policies. Mr. Ferris stated that committee duties, policies and procedures will be forwarded to the Board for review prior to its July meeting.

Roger Ferris stated the NAEFO convention will be held September 15 & 16 in Las Vegas. Burton Weast has been hired as the association's executive director.

Les Riel thanked the Board for their kind expressions during his recuperation.

Mark Thompson suggested a format change for the Board Policies. It was the consensus of the Board that the Executive Committee make a recommendation at the July Board meeting concerning policy format.

Bill Gates requested a report be made at the July Board meeting regarding the legislative program being held in Chelan.

Bill Gates asked for a report on the WFCA lobbyists (Capitol Connection). Roger Ferris stated he would provide a written report to the Board, noting that he is extremely pleased with the work of the contract lobbyists; he added that Capitol Connection's contract is up for renewal this year.

There being no further business, the meeting was adjourned at 2:35 p.m.